



THE CITY OF NEW YORK  
LAW DEPARTMENT

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June 3, 2025

**BY ECF**

Honorable Katherine H. Parker  
United States Magistrate Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**APPLICATION GRANTED**

*Katharine H. Parker*  
**Hon. Katharine H. Parker, U.S.M.J.**

06/04/2025

Re: Tracy McCarter v. City of New York, et al., 23 CV 9652 (GHW) (KHP)

Your Honor:

I am a Senior Counsel in the Special Federal Litigation Division of the New York City Law Department, and one of the attorneys assigned to the defense of the above-referenced matter on behalf of defendants. In that capacity, I write with consent of plaintiff's counsel to respectfully request that **the deadline for defendants to serve their motion for summary judgment be adjourned one additional week, until June 13, 2025.** The parties would otherwise keep the remaining deadlines for the briefing schedule intact.

As the undersigned mentioned in defendants May 22, 2025 application, I was scheduled to begin trial in the matter of Galarza v. City of New York, et al., 19-CV-10898 (LAK) (KHP), on June 9, 2025, before the Honorable Lewis A. Kaplan. In addition to fully preparing for same, an issue arose regarding whether the plaintiff was legally competent and if he would ultimately appear for trial as scheduled. Those issues lead to additional briefing and were only resolved this afternoon when the Court adjourned the trial sine die. Dealing with those issues along with trial preparation consumed virtually all of my time to date. As such, we respectfully request one additional week to prepare and finalize our moving papers in this matter.

Thank you for your consideration herein.

Respectfully submitted,

/s/

Brian Francolla  
Senior Counsel  
Special Federal Litigation Division

cc: All Counsel (By ECF)